

UNITED STATES COURT OF APPEALS  
FOR THE NINTH CIRCUIT

FILED

JAN 21 2022

MOLLY C. DWYER, CLERK  
U.S. COURT OF APPEALS

RAYMOND C. GIVENS,

Plaintiff-Appellee,

BUREAU OF TRUST FUNDS  
ADMINISTRATION, which on October 1,  
2020, assumed responsibility for financial  
operations functions previously performed by  
the Office of the Special Trustee for  
American Indians,

Appellant,

v.

WALLACE OENGA,

Defendant.

No. 20-36064

D.C. No. 3:19-cv-00043-HRH  
District of Alaska,  
Anchorage

ORDER

Before: TALLMAN and NGUYEN, Circuit Judges.

Appellee's application for attorney's fees and costs under the Equal Access to Justice Act ("EAJA") (Docket Entry No. 26) is denied. *See* 28 U.S.C.

§ 2412(a)(1) (providing for the award of fees and costs to the prevailing party in a "civil action brought by or against the United States").

Appellant's motion to voluntarily dismiss this appeal (Docket Entry No. 22) is granted.

All other pending motions are denied as moot.

**DISMISSED.**